

DOE should commit to a long-term program to monitor the repository after closure.

DOE would design and implement a postclosure monitoring program in compliance with the NRC regulations (10 CFR Part 63). Before closure, DOE would submit a license amendment to the NRC for review and approval. The license amendment application would include, among other items:

- a. An update of the assessment of the performance of the repository for the period after closure
- b. A description of the postclosure monitoring program
- c. A detailed description of the measures to be employed to regulate or prevent activities that could impair the long-term isolation of the waste, and to preserve relevant information for use by future generations

The application also would describe DOE's proposal for continued oversight to prevent any activity at the site that would pose an unreasonable risk of breaching the repository's engineered barriers, or increase the exposure of individual members of the public to radiation beyond limits allowed by the NRC. DOE has modified the EIS to include the types of monitoring and other institutional controls that would be contemplated. However, the Department would define the details of this program during the consideration of the license amendment for closure. This would allow the Department to take advantage of new technological information, as appropriate.

Organization of the Comment-Response Document

This Comment-Response Document contains the comments received on the Draft EIS and the Supplement to the Draft EIS and the DOE responses to them.

DOE extracted the individual comments from all other comment documents and categorized them according to the topical outline prepared for this Comment-Response Document. Because a number of comments were similar in nature, the Department summarized them. The chapters of this document contain every comment DOE received (either in summaries or individually) and the DOE responses, as follows:

- Chapter 1 Proposed Action
- Chapter 2 Nuclear Waste Policy Act
- Chapter 3 National Environmental Policy Act
- Chapter 4 Other Legal, Regulatory, and Policy Issues
- Chapter 5 Alternatives
- Chapter 6 Spent Nuclear Fuel and High-Level Radioactive Waste
- Chapter 7 Repository Design, Performance, and Affected Environment
- Chapter 8 Transportation Modes, Routes, Affected Environment, and Impacts
- Chapter 9 No-Action Alternative
- Chapter 10 Cumulative Impacts
- Chapter 11 Impact Mitigation and Compensation
- Chapter 12 DOE Credibility

Chapter 13 contains comments that DOE received that are outside the scope of this EIS, and responses to those comments as appropriate.

Section 114(a)(1)(D) of the NWPA specifies that any Site Recommendation the Secretary of Energy submitted to the President must include a final environmental impact statement together with comments received from four Federal agencies – the Department of the Interior, the Council on Environmental Quality, the Environmental Protection Agency, and the Nuclear Regulatory Commission – on the Final EIS. To facilitate agency review of this Final EIS, DOE has included three of the agencies’ complete comment documents on the Draft EIS and the Supplement to the Draft EIS and the DOE responses to the comments in those documents before Chapter 1. (The Council on Environmental Quality did not submit comments on the Draft EIS or the Supplement.)

The compact disks that are part of this Final EIS contain electronically scanned images of the transcripts of all the public hearings along with scanned images of all letters, electronic mail, facsimiles, etc., for both the Draft EIS and the Supplement.

A number of the responses to comments contain references to supporting documents. The reference lists in this Comment-Response Document include the documents cited only in this volume. It does not include references to documents cited in other volumes of this EIS and listed in those volumes. DOE has not listed documents cited in submitted comments unless the corresponding response also cites that reference.

How To Use this Comment-Response Document

Tables CR-1 and CR-2 provide alphabetical guides to the location of comments provided by organizations and individuals, respectively. Table CR-2 lists anonymous submittals as “Anonymous”; in addition, it lists as “Illegible” submittals for which DOE could not read the signature. To find a comment and the DOE response, locate the commenter’s name (by individual or organization) in the appropriate table and turn to the index location listed. The identification number in parentheses after the index location identifies the comment-response pair.

As an actual example, Ms. Cheryl Alexander submitted a letter (comment document EIS000255) that contains five identified comments. If one wanted to read the DOE responses to Ms. Alexander’s comments, one would first find her name in Table CR-2. In addition to her name, the table includes the locations of her five comments. For example, one is directed to Sections 8.1, 5.1, 8.3.3, 3.3, and 13 of the Comment-Response Document and to comment-response pairs 170, 27, 23, 50, and 5, respectively. Note that DOE responded to all of Ms. Alexander’s comments in summary responses.

If one wanted to read Ms. Alexander’s comments in the context of her original letter, one would find comment document EIS000255 on the compact disk included with this Comment-Response Document, on the Yucca Mountain Project’s Internet web site (<http://www.ymmp.gov>), or in the copy at the nearest DOE Reading Room. Comment document EIS000255 is a scanned image of Ms. Alexander’s letter with brackets around each identified comment.

Table CR-3 is a cross-reference from the comments and responses back to the commenter(s). This table identifies who made each comment and, for summary comments, the group of commenters.